

Daniel F. Caruso
Chairman

STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: siting.council@ct.gov

Internet: ct.gov/csc

July 17, 2007

TO: Parties and Intervenors

RE: **PETITION NO. 809** - Extenet Systems, Inc. petition for a declaratory ruling that the Connecticut Siting Council does not have jurisdiction or, in the alternative, that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction of a Distributed Antenna System along the Merritt Parkway from the New York state line to Westport, Connecticut.

The Connecticut Siting Council (Council) will hold a pre-hearing conference on procedural matters on Monday, July 23, 2007, in the Council's office, at Ten Franklin Square, New Britain, Connecticut, beginning at 10:00 a.m. All parties and intervenors are requested to participate. The purpose of this pre-hearing conference is to expedite the hearing procedure without sacrificing an informative record necessary for the Council to render a decision.

At the conference, parties and intervenors will be encouraged to discuss requirements for pre-filed testimony, exhibit lists, administrative notice lists, expected witness lists, and the filing of pre-hearing interrogatories. To save the time and expense of the public, the Council wishes to avoid direct testimony at the hearing.

Each party and intervenor is requested to provide all other parties and intervenors in attendance a list of witnesses and the subjects their pre-filed testimony will address, a list of documents to be administratively noticed, and copies of any available exhibits to be offered at the hearing. The pre-hearing conference will also address the grouping of parties and intervenors and the order of presentations at the hearing.

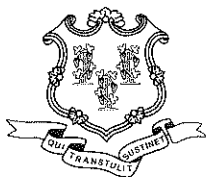
Very truly yours,

S. Derek Phelps
Executive Director

SDP/RDM/laf

Enclosures

1. Hearing Notice
2. Service List



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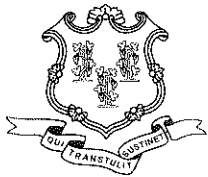
Connecticut Siting Council Pre-Hearing Conference, Monday, July 23, 2007 Petition 809 Hearing Procedure

1. Before August 1, 2007, all parties and intervenors are encouraged to file pre-hearing interrogatories and exchange pre-filed testimony, exhibits, witness lists, and items to be noticed administratively with all other parties and intervenors. To save the time and expense of parties, intervenors, and the public, all parties and intervenors are encouraged to resolve discrepancies of these items before the hearing.
2. The 3:00 p.m., August 8, 2007, hearing session will provide the applicant, parties, and intervenors an opportunity to present exhibits and witnesses, and cross-examine positions. The applicant will be allowed to present its exhibits and witness panel, and then be subject to cross-examination by all parties and intervenors in the order that they were made parties and intervenors. All parties and intervenors will then be allowed to present their exhibits and witness panels in the order in which they were made parties and intervenors, and be subject to cross-examination by the applicant and all other parties and intervenors. The applicant will be allowed a final rebuttal. Arguments will be entertained in writing after the close of the last hearing session.
3. The 7:00 p.m. hearing session will be first reserved for the public to make brief statements into the record.
4. If time remains, the 7:00 p.m. hearing session will provide the applicant, parties, and intervenors an opportunity to complete their presentations and cross-examination.
5. The Council requests that all testimony and exhibits be pre-filed with the Council and all parties and intervenors by August 1, 2007. In accordance with the State Solid Waste Management Plan, the Council is requesting that all filings be submitted on recyclable paper, primarily regular weight white office paper. Please avoid using heavy stock paper, colored paper, and metal or plastic binders and separators.



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6. The Council will provide an opportunity for the public officials to make a statement.
7. No repetition of facts will be allowed.
8. A verbatim transcript of the hearing session will be made and deposited with the Town/City Clerk's Office of the Greenwich, Stamford, New Canaan, Norwalk and Westport Town/City Halls for the convenience of the public.
9. Parties and intervenors will be allowed to submit briefs and proposed findings of facts within 30 days after the close of the hearing.
10. Members of the public will be allowed to submit public statements into the record within 30 days after the close of the hearing.
11. Deadlines for briefs, proposed findings of fact, and public statements will be final and no extensions will be granted.
12. The Council may, at its discretion, provide for the grouping of parties and intervenors with the same interest.
13. Individuals will be encouraged to participate through their elected officials and other party or intervenor groupings.
14. Any person seeking to be admitted as a party or intervenor to the proceeding is requested to file a written petition with the Council on or before August 1, 2007.
15. All participants will be encouraged to be brief, concise, non-repetitious, and courteous of all other participants.
16. Enclosed is a list of items the Council wishes to notice administratively. Objections to any item on the list should be sent to the Council before the hearing.
17. A public field review will be held to review portions of the proposed Distributed Antenna System on Wednesday, August 8, 2007, beginning at 2:00 p.m. Interested parties should meet at the Merritt Parkway Exit 41 Park and Ride Lot at 2:00 p.m. for the field review.
18. All participants are requested to place nameplates on the table in front of each witness at the hearing.



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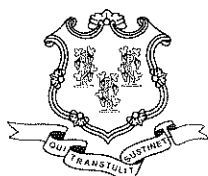
Internet: ct.gov/csc

Administrative Notice List Petition No. 809

1. OET Bulletin No. 56, Questions and Answers About Biological Effects and Potential Hazards of Radiofrequency Electromagnetic Fields, Federal Communications Commission, Office of Engineering and Technology, August 1999.
2. OET Bulletin No. 65, Evaluating Compliance with FCC-Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields, Federal Communications Commission, Office of Engineering and Technology, August 1997.
3. ANSI Standard for Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 3 kHz to 300 GHz, Revision of ANSI C95.1-1982, American National Standards Institute, November 18, 1992.
4. Guidelines for Evaluating the Environmental Effects of Radiofrequency Radiation, Federal Communications Commission's Report and Order, adopted August 1, 1996.
5. Structural Standards for Steel Antenna Towers and Antenna Supporting Structures, TIA/EIA-222-F, Electronics Industries Association, June 1996.
6. Connecticut Guidelines for Soil Erosion and Sediment Control, May 2002, as amended.
7. Telecommunications Act of 1996.
8. Conservation and Development Policies Plan for Connecticut 2005-2010, adopted by the Connecticut General Assembly, 2005. <http://www.opm.state.ct.us/igp/cdplan/cdplan2.htm>
9. Connecticut Walk Book East, Nineteenth Edition, Connecticut Forest and Park Association, 2005.
10. Connecticut Walk Book West, Nineteenth Edition, Connecticut Forest and Park Association, 2007.
11. Atlas of Connecticut Topographical Maps, State of Connecticut Department of Environmental Protection, Natural Resources Center, DEP Bulletin 17, 1992.
12. Connecticut Department of Transportation Policy Statement for Telecommunications Installations Within the State Highway Right of Way, Policy No. E&H.O.-53, dated August 7, 2006



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HEARING NOTICE

Pursuant to provisions of General Statutes § 16-50m and Section 16-50j-21 of the Regulations of Connecticut State Agencies, notice is hereby given that the Connecticut Siting Council (Council) will conduct a public hearing on Wednesday, August 8, 2007 beginning at 3:00 p.m., and continued at 7:00 p.m., Westport Town Hall Auditorium, 110 Myrtle Avenue, Westport, Connecticut, and thereafter as necessary. The hearing will be on a petition from Extenet Systems, Inc. for a declaratory ruling that the Connecticut Siting Council does not have jurisdiction over the installation of a Distributed Antenna System serving the Merritt Parkway in the towns of Greenwich, Norwalk, Stamford, New Canaan, and Westport, or alternatively, a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed installation.

The 3:00 p.m. hearing session will provide the applicant, parties, and intervenors an opportunity to cross-examine positions. The applicant will be allowed a final rebuttal. Briefs will be entertained after the close of the last hearing session. The 7:00 p.m. hearing session will be reserved for the public to make brief statements into the record. Cross-examination of parties and intervenors will resume, if necessary, after all statements have been heard.

The Council will conduct a public field review of a portion of the proposed Distributed Antenna System on Wednesday, August 8, 2007, beginning at 2:00 p.m. Interested parties should meet at the Merritt Parkway Exit 41 Park and Ride Lot at 2:00 p.m. for the field review.

Applicable law for this proceeding includes the Public Utility Environmental Standards Act, General Statutes § 16-50g, et seq., and Sections 16-50j-1 through 16-50v-1a of the Regulations of Connecticut State Agencies.

The Council will hold a pre-hearing conference on procedural matters on Monday, July 23, 2007, beginning at 10:00 a.m. at the Council's office, 10 Franklin Square, New Britain, Connecticut.

The Council directs that all testimony and exhibits be pre-filed with the Council and all parties and intervenors by August 1, 2007. In accordance with the State Solid Waste Management Plan, the Council requests that all filings be submitted on recyclable paper, primarily regular weight white office paper. Please avoid using heavy stock paper, colored paper, and metal or plastic binders and separators.

Individuals are encouraged to participate through their elected officials, and other party/intervenor groupings.



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Any person seeking to be named or admitted as a party or intervenor to the proceeding may file a written request to be so designated at the office of the Connecticut Siting Council, 10 Franklin Square, New Britain, Connecticut 06051, on or before August 1, 2007.

Parties and intervenors will be allowed to submit briefs and proposed findings of fact within 30 days after the close of the hearing.

Any person who is not a party or intervenor to this proceeding may file a written statement with the Council at the hearing or any time up to 30 days thereafter. Such statements will become part of the record. No written statement or any other material, evidence, or other information will be accepted from any person not a party or intervenor to the proceeding after 30 days following the close of the hearing, except as otherwise prescribed by law or the Council.

A verbatim transcript of the hearing session(s) will be made and deposited with the Town/City Clerk's Office of the Greenwich, Stamford, New Canaan, Norwalk and Westport Town/City Halls for the convenience of the public.

Requests for information in alternative formats or for sign-language interpreter services must be submitted in writing by July 27, 2007.

The applicant is represented by the following:

Applicant

Extenet Systems, Inc.

Its Representative

Julie D. Kohler, Esq.
Carrie L. Larson, Esq.
Cohen & Wolf, P.C.
1115 Broad Street
P.O. Box 1821
Bridgeport, CT 06601-1821

A copy of the application is available for review at the Council's office during office hours at 10 Franklin Square, New Britain, Connecticut, (860) 827-2935. The Council has assigned this application petition no. 809.

July 6, 2007

Connecticut Siting Council

LIST OF PARTIES AND INTERVENORS
SERVICE LIST

Status Granted	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Applicant	Extenet Systems, Inc.	Julie D. Kohler, Esq. Carrie L. Larson, Esq. Cohen & Wolf, P.C. 1115 Broad Street P.O. Box 1821 Bridgeport, CT 06601-1821 (203) 337-4157 (203) 394-9901 fax jkohler@cohenandwolf.com clarson@cohenandwolf.com
Intervenor (granted 05/22/07)	Cellco Partnership d/b/a Verizon Wireless	Kenneth C. Baldwin, Esq. Robinson & Cole LLP 280 Trumbull Street Hartford, CT 06103-3597 (860) 275-8200 (860) 275-8299 fax kbaldwin@rc.com
Intervenor (granted 05/22/07)	Merritt Parkway Conservancy	Merritt Parkway Conservancy c/o Karen Salerno, Executive Director P.O. Box 17072 Stamford, CT 06907 (203) 661-3255 (no fax) karensalerno@merrittparkway.org
Intervenor (granted 05/22/07)	Omnipoint Communications, Inc. A subsidiary of T-Mobile USA, Inc.	Diane W. Whitney Pullman & Comley, LLC 90 State House Square Hartford, CT 06103-3702 (860) 424-4330 dwhitney@pullcom.com

LIST OF PARTIES AND INTERVENORS
SERVICE LIST

Status Granted	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Intervenor (granted 05/22/07)	Elizabeth Galt Clifford Berger	Ira W. Bloom, Esq. Wake, See, Dimes, Bryniczka, Day & Bloom 27 Imperial Avenue Westport, CT 06880 (203) 227-9545 (203) 227-2443 fax ibloom@wsdb.com
Intervenor (granted 05/22/07)	New Cingular Wireless PCS, LLC d/b/a AT&T	Christopher B. Fisher, Esq. Cuddy & Feder LLP 445 Hamilton Avenue, 14 th Floor White Plains, NY 10601 (914) 761-1300 (914) 761-6405 fax cfisher@cuddyfeder.com
Intervenor (granted 06/07/07)	National Grid Communications, Inc.	Stephen J. Humes, Esq. McCarter & English, L.L.P. 185 Asylum Street, CityPlace I Hartford, CT 06103 (860) 275-6761 (860) 560-5955 fax shumes@mccarter.com